

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HOWARD HENRY,

Plaintiffs,

-against-

WYETH PHARMACEUTICALS, INC.,

Defendant.

05 CV 8106 (RCC) (DFE)

CIVIL CASE MANAGEMENT PLAN

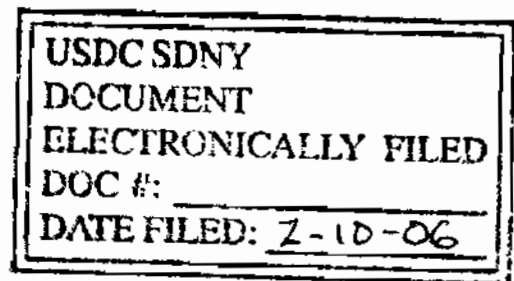
After consultation with counsel for all parties, the following Case Management Plan is adopted. This plan is also a scheduling order pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedures.

The case is to be tried by a jury.

Yes ☒ No ☐

Counsel consent to trial by a U.S. Magistrate Judge.

Yes ☐ No ☒



Joinder of additional parties must be accomplished by 2/10/06.

Amended pleadings may be filed until 2/10/06.

Discovery:

1. First request for production of documents, if any, to be served by 3/10/06.
2. Interrogatories pursuant to Rule 33.3 of the Civil Rules of the Southern District of New York to be served by 3/10/06. No other interrogatories are permitted except upon prior express permission of Judge Casey.
3. Depositions to be completed by 8/10/06.
 - a. Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.
 - b. Depositions shall proceed concurrently, except that, unless counsel agree otherwise or the Court so orders, Defendant will take Plaintiff's deposition before other depositions proceed.

- c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.
 - d. No depositions shall be extended beyond two business days without prior leave of the Court.
- 4. Expert reports, if any, are to be served by Plaintiff by 6/10/06. Expert reports, if any, are to be served by Defendant by 7/10/06. Experts may be deposed, but such depositions must occur within the time limit set forth for all depositions set forth above.
 - 5. Requests to Admit, if any, are to be served no later than 7/10/06.
 - 6. All discovery is to be completed by 8/10/06. Interim deadlines may be extended by the parties on consent without application to the Court, provided the parties are certain they can still meet the discovery completion date ordered by the Court, which shall not be adjourned except upon a showing of extraordinary circumstances.

Dispositive Motions:

- a. All motions and applications shall be governed by the Court's Individual Rules of Practice.
- b. A pre-motion conference will be required before any dispositive motion (including motions to dismiss) is filed.
- c. The Court will confirm the parties' briefing schedule at the pre-motion conference.
- d. After the papers are fully submitted, the parties will be informed whether oral arguments are required.

Trial:

- a. The requirements for the pre-trial order and other pre-trial submissions shall be governed by the Court's Individual Rules of Practice.
- b. The parties will be required to submit a joint pretrial order at least two weeks in advance of the trial date.

NEXT CASE MANAGEMENT CONFERENCE: August 11, 2006 at 9:30am
(To be completed by the Court)

DATED: New York, New York

Feb 10, 2006

SO ORDERED:



Hon. Richard Conway Casey
United States District Judge